

S/003/018

— GENE HODGES IS A CO-CLAIMANT

DOGM RECEIVED
4/30/93
VIA DAN WASHINGTON, BLM

3809
U26-91-01N
(U-026)

NOV 14 1990

Desmond Shields
2848 East 2100 South
Salt Lake City, Utah 84109

Dear Mr. Shields:

Your Notice to conduct mining exploration operations under BLM's 43 CFR 3809 surface mining regulations was received on October 29, 1990 and we have assigned your operation case file number U26-91-01N. Please refer to this number in any future correspondence.

Our minerals staff specialist, Dan Washington, reviewed the Notice that you recently submitted and found it incomplete in the following areas:

A more detailed description of your proposed operations is needed so our staff can make a complete analysis of the impacts from your proposed operation. This includes the date you plan to start your operation, and how long it will take to complete your proposal, type of drilling equipment to be used, how many drill holes are planned, the location of the drill holes on a large scale map, if the backhoe will be used for trenching the location, width and depth of trenches, and the method of removing and storing overburden for reclamation.

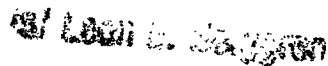
According to our Master Title Plats the East $\frac{1}{2}$ of Section 21, T 8 N, R 18 W, is split estate ownership with the surface estate being Federal and mineral estate being private. This land ownership is not covered under BLM's 43 CFR 3809 surface mining regulations, therefore, it is not open for mineral entry under the mining law. That portion of your Greenstone claims which lies in section 21 although excepted by our BLM Utah State Office are technically not valid. Operations on this land type requires a landowner agreement with both the surface and subsurface landowners and a submission similar to a 3809 notice to The State of Utah, Department of Natural Resources, Division of Oil, Gas, and Mining.

Dan would like to meet with you in the field to better understand your proposal and make some recommendations for rehabilitation.

Our area wildlife biologist indicated that the proposed operation lies within an area used by eagles as critical winter range and recommends that operations such as yours be conducted between March 16 and December 15 of any given year to protect this natural resource.

Thank you for your concern and positive attitude towards conserving and protecting our natural resources. If you have any questions, please feel free to contact Dan Washington, our surface protection specialist for 3809 activities at (801) 977-4359.

Sincerely yours,



Leon E. Berggren
Bear River Resource Area Manager

cc: Anthony A. Gallegos
Utah Div. of Oil, Gas, & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

502-10/29
J-25-90

Mr. Steve Brooks

I appreciate your letter and I will try to answer the questions regarding our claims.

The greenstone claims are U.M.C # 336067 and the A.B. claims are U.M.C # 336069.

The work will be some drilling and rubber tired Backhoe work.

Acreage will be less than 1 acre on the initial phase of exploration.

Existing roads are already at the property and will not require any road work to get to the claims.

If we do not continue mining at a future date we will repair all the land and seed it where it can be sown.

The people that will be doing the work will be Desmond Shields - Nolan Walker and Raymond Behrens.

We are planning to do some work yet
this Fall if weather will permit. otherwise
we will do the work next Spring

I have included copies of our claims and
also maps showing their location

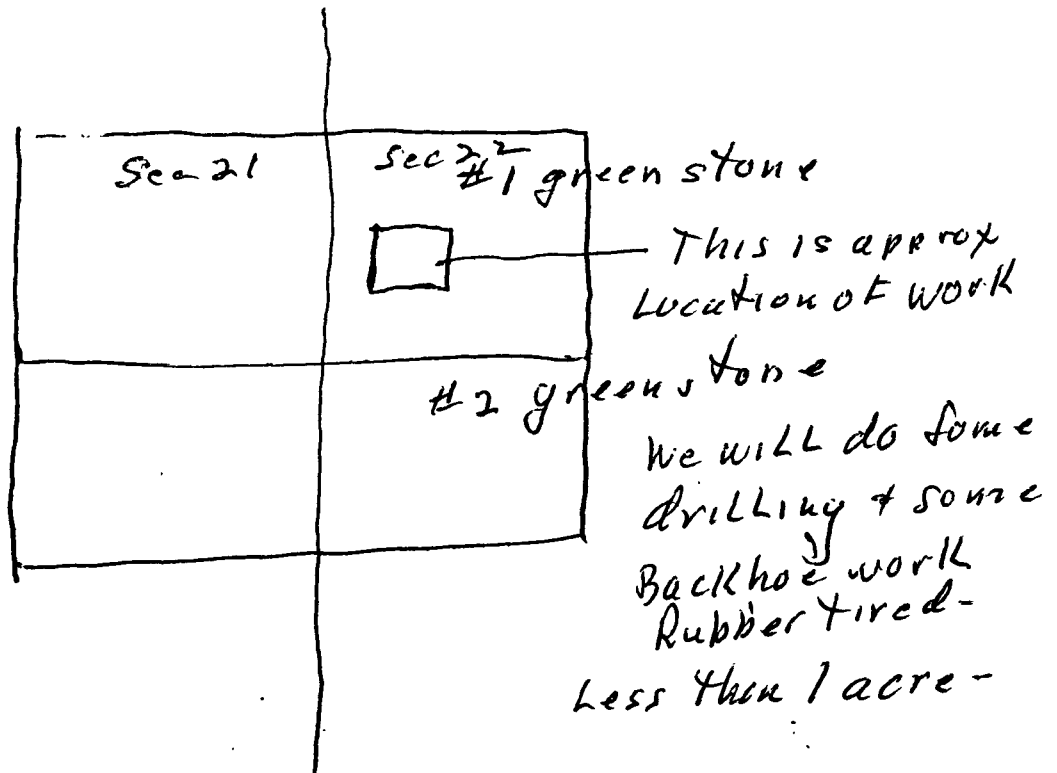
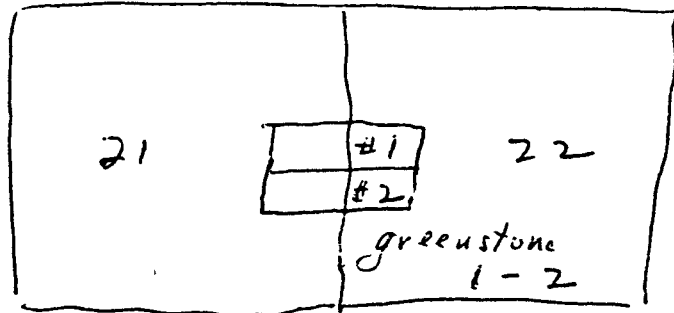
Sincerely

D. L. Skidell

Map of Green Stone 1-2

Sec. 21-22

T. 8N. R. 18W

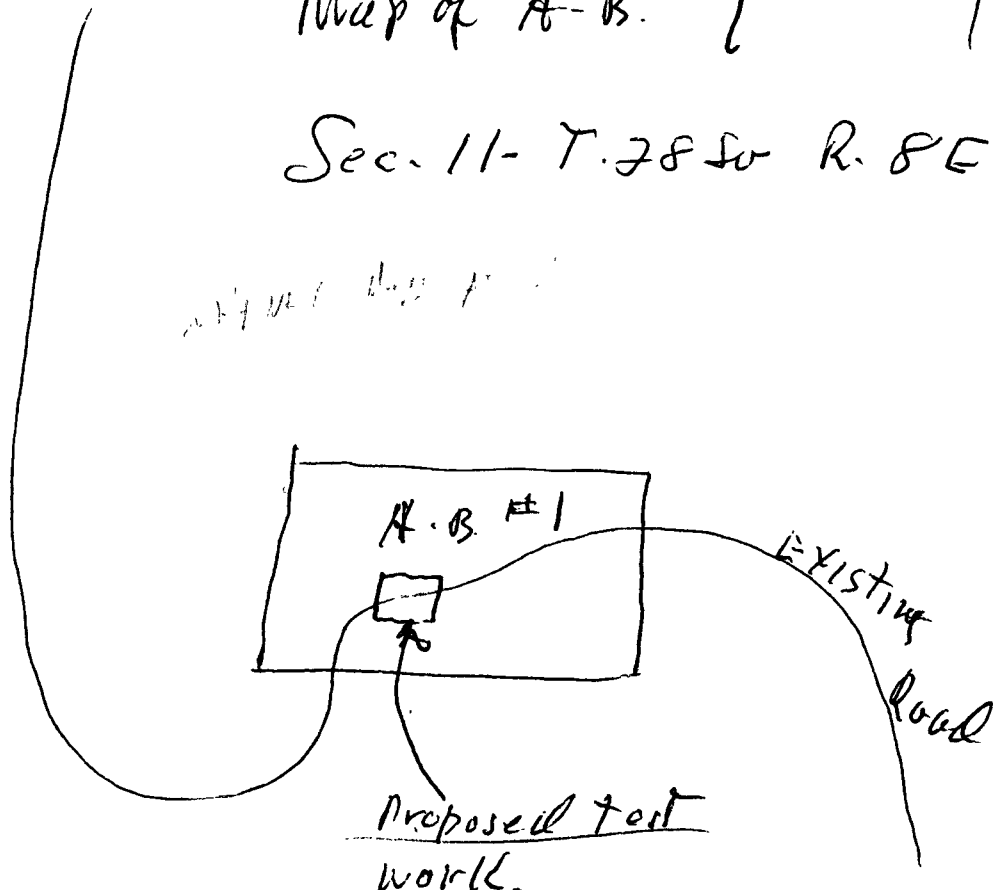


Map of A-B. #1



Sec. 11- T. 28 S- R. 8 E

about 1/2 acre



Proposed test work.
Less Than 1 acre.

NOTICE OF LOCATION

NOTICE IS HEREBY GIVEN, that the undersigned located and now claim Fifteen Hundred (1500) feet in length along this vein or lode containing valuable minerals, together with Three Hundred (300) feet in width on each side of the middle of said vein at the surface, and all veins, lodes, mineral and surface ground within the lines of this claim, the general course of said vein or lode running _____ feet

_____ and _____ feet _____ from the discovery monument on which this claim is posted. This claim is in the _____ Mining District,

Unknown County, State of Utah, situated Box Elder Sec-21-22-T8N. R. 18W

and is marked on the ground as follows:

Beginning _____ feet _____ of the discovery monument, at the _____ end center monument, and running thence _____ 300 feet to _____ corner monument No. 1; thence _____ 1500 feet to _____ corner monument No. 2; thence _____ 300 feet and parallel to the _____ end line to the _____ end center monument; thence _____ 300 feet and parallel to said end line to _____ corner monument No. 3; thence _____ 1500 feet to _____ corner monument No. 4; thence _____ 300 feet to place of beginning; including all dips, spurs, angles and variations _____

MARIE G. KORTH
BOX ELDER COUNTY RECORDER

DEP MS FEE 9"

32507

1990 SEP 13 PM 1:11

The above described mining claim is named

Green Stone #2

Located this 8 day of Sept., 1990

Note

*The small type on blank lines is merely a guide for the locator and is no part of this notice.

DIAGRAM OF CLAIM—The location (discovery point) and corner monuments should be designated on the accompanying diagram to make the Record of claim more perfect.

A mining claim must not exceed 1500 feet in length along the vein or lode, by 600 feet in width, 300 feet on each side of center of vein at surface.

No location of a mining claim can be made until the discovery of the vein or lode within the limits of the ground claimed.

The claim must be distinctly marked on the ground, so its boundaries can be readily traced.

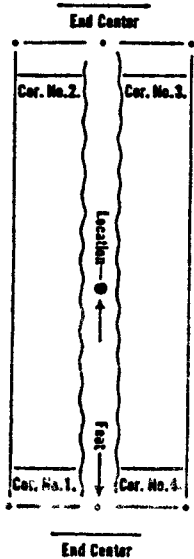
A severe penalty is provided by law for removing or defacing the staker or monuments of a mining claim.

Claims located on Sunday or holidays are legal.

All valuable mineral deposits in lands of the Government are locatable by citizens of the United States only, and those who have declared their intentions to become such.

This location notice must be posted on the discovery monument and a copy of this notice must be filed for record with the County Recorder of the county in which the claim is located within thirty days after the date of posting.

DIAGRAM OF CLAIM



NAMES OF LOCATORS

Desmond Shields

Raymond Behrens

James Z. Stone

Nolan Walker

file Desmond Shields

2848 E 2100 S

Salt Lake 84109

Oct-14-96

90 OCT 18 AM 1

Bureau of Land Management
Utah State Office, St. George

Dear Sirs:

I wish to perform exploration and some work on our green stone claims and also on our A.B. Please refer to A.M.C. # 336067 & 336069. We will be doing some drilling as well as and we likely will not disturb more than at each site. Equipment will be a small air compressor a rubber tired Backhoe. We appreciate the prompt service you have given us in the past and we find this to be most helpful.

Sincerely,
D.L. Shields,
3845 E 3100 N
P

EROL R. BENSON

4512 Fillmore Ave.

Ogden, UT 84403

(801) 393 7876

January 3, 1990

State Director
Bureau of Land Management
Utah State Land Office
324 South State street STE 301
Salt Lake City, UT 84111

Subject: Vandalism of mining and rock collecting properties.

Dear Sir:

On December 5, 1988, Mr. Rex Rowley wrote to advise that work done on mining claim no. 127584 in the SW¹/₄ Section 1, T.11 S. R. 12 W., SLB&M was in violation of the Code of Federal Regulations.

I wrote back, telling him that the work had been done without our knowledge or authorization, and in violation of our club rules. I enclose a copy of each letter for your ready reference.

We have followed up a number of leads, without success. Recently, we were advised by a reliable person, that the person involved was allegedly a Mr. Dave Penny, of Beaver, Utah, using a "treaded backhoe". We have not verified this, because we lack trained investigators and any inquiry we might make could compromise any professional investigation. Since the lands involved are all BLM lands, we hope that you will be able to pursue the matter further, in the interest of legitimate operators.

This report is being forward to your office, rather than to Mr. Rowley, because it appears that the damage is state wide, and possibly spread into Nevada. We are informed that Mr. Penny also allegedly used this same equipment in the Henry Mountains area, near Hansen Creek, to collect bone and wood, and in the red beryl area of the Wah Wah Mountains.

There is reason to believe that similar depredations were committed in the Variscite area, at Lucin, Utah. It seems likely that there have been other incidents of which we are not aware.

A copy of this letter has also been sent the Public Lands Access Committee Chairman, Northwest Federation of Mineralogical Societies, with the name deleted.

Sincerely,

Erol R. Benson
Representative,
Golden Spike Gem and Mineral Society



United States Department of the Interior

BUREAU OF LAND MANAGEMENT HOUSE RANGE RESOURCE AREA

15 East 500 North
P.O. Box 778
Fillmore, Utah 84631



IN REPLY REFER TO:
3809
UT054

CERTIFIED MAIL No. P 303 371 538

December 5, 1988

Golden Spike Gem/Minerals
4512 Fillmore Avenue
Ogden, Utah 84403

Gentlemen:

This letter is to inform you that the recent work that has been done on your mining claim No. 127584 in the SW $\frac{1}{4}$ of Section 1, T. 11 S., R. 12 W., SLB&M, around the end of October, is not in compliance with Title 43, Part 3809 of the Code of Federal Regulations.

These regulations (43 CFR 3809.3-2) require that before you do any surface work on mining claims, you must file with this office either a "Notice of Intent" or "Plan of Operations" depending on whether the area to be disturbed is less than or more than 5 acres. If the area to be disturbed is more than 5 acres, a mine plan of operations must be submitted and approved before you are authorized to do any work.

A recent field check of your claims by our geologist revealed that there has been substantial, unauthorized disturbance done recently on your mine claims by a backhoe or some other equipment, to dig geodes.

Accordingly, you are hereby notified that you must cease your mining activity on the above numbered claims and you have 30 days to submit either a "Notice of Intent" or a "Plan of Operations" to cover the work you have already done as well as any proposed additional work. Failure to submit either a "Notice" or a "Plan" will necessitate that you post a \$5000 reclamation bond prior to any additional mining.

If you have any questions, please contact Toby Manzanares or me at 743-6811.

Sincerely

Rex Rowley
Area Manager

UAB
COUNTY

EROL R. BENSON
4512 Fillmore Avenue
Ogden, UT 84401

June 29, 1989

REX ROWLEY
BUREAU OF LAND MANAGEMENT
House Range Resource Area
15 East 500 North
P.O. Box 778
Fillmore, Utah 84631

Dear Mr. Rowley:

This letter is in response to your letter of December 5, 1988, a copy of which is enclosed for your ready reference. I'm sorry to be so slow in responding, but it was necessary to make an investigation of the occurrence you reported to us, and distance made it somewhat difficult.

We have been able to verify the incident you reported. The mining claim held by the Golden Spike Gem and Mineral Society has indeed been despoiled by power equipment, in violation of the Club's strict policies. The destruction has been so severe that the claim may no longer be usable.

We have been unable to ascertain the identity of the trespassor. If we could, we would certainly take legal action against him, her or them. We only know with certainty that the destruction was not committed by any member of this organization. We have heard unverifiable rumors, but nothing on which we can rely.

We solicit your cooperation in this matter. If by some remote chance, you learn who did this damage to us, we would appreciate being advised.

In the meantime, we shall have to consider whether or not the claim should be retained in Club ownership.

We are sending a copy of this letter to each of the local Gem and Mineral Societies, so that they may be aware of what has happened, and can perhaps assist us in identifying the trespasser(s).

Thank you for letting us know. Please be advised that Club rules generally prohibit use of power equipment, and in any event, prohibit violation of BLM regulations.

Sincerely,

EROL R. BENSON
ATTORNEY
Golden Spike Gem and Mineral Society